

BJ 008

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1/24/84

UNITED STATES GOVERNMENT

memorandum

DATE: January 24, 1984

REPLY TO
ATTN OF: POL - Tony Allitto *aa*

Thursday 1/26

SUBJECT: The Mothers of the Plaza de Mayo's Call on You ~~Friday~~ at 11:50

THRU: POL - John King

TO: The Ambassador

Attached for your information is an explanation of the organization itself. The current President of the Mothers, Mrs. Bonafini, who will be one of the ones calling on you, was one of the founders of the organization.

The scheduled callers on you are:

Mrs. Hebe Bonafini, President
Mrs. Maria Adela Antokoletz, Vice President
Mrs. Carmen Lapacó, Governing Board Member
Mrs. Rene Epelbaum, Governing Board Member

Mrs. Lapacó and Mrs. Epelbaum met with Congressmen Solari and Garcia.

After you welcome them you might want to say that as a father you definitely sympathize with their suffering and respect what they have done in Argentina as leaders of the human rights movement. Then you might want to ask for their views on the GOA's plan for trials of the military, why they are so strongly against military trials of the military when appeals of the verdicts to civilian courts will be possible, and what their organization plans to do in 1984.

Just in case Mrs. Bonafini charges, as she did with visiting Human Rights Office Director James Thyden, that the U.S. has done nothing to help the Mothers, you might want to quote from the attached testimony of the International League for Human Rights to the U.S. Congress. The testimony states that "At one time the United States Embassy in Buenos Aires was the only place that Argentines could go to register their missing relatives."

Attachments:

Above-mentioned information.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

Declassify: ☐ In Part ☐ In Full

☐ Classify as ☐ Extend as 86 FD Downgrade to

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CINCSO FOR INTAFF, CINCLANT ALSO FOR POLAD, ROME ALSO FOR
VATICAN OFFICE

E.O. 12356: DECL:OADR
TAGS: SHUM, PGOV, AR
SUBJ: HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

REF: BUENOS AIRES 0519

1. (U) SUMMARY: ALFONSIN SAYS THERE ARE OVER 10,000
PEOPLE WHO DISAPPEARED. HE ORDERED THE ARREST OF ONE
OF THE MOST FAMOUS FIGURES OF THE "DIRTY WAR," GEN. CAMPS.
PRESIDENT BIGNONE REMAINS UNDER ARREST, AS RAKING

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OVER THE PAST CONTINUES TO DOMINATE THE NEWS.
DEVELOPMENTS OF THE PAST TEN DAYS HIGHLIGHT ALFONSIN'S
PROBLEM IN MAINTAINING A BALANCE BETWEEN RIGHT AND
LEFT, BETWEEN DEMANDS FOR RETRIBUTION AND FEARS THAT
SUCH RETRIBUTION WOULD HAVE ON THE ARMED FORCES
AND THE DEMOCRATIC FUTURE. END SUMMARY.

2. (U) ALFONSIN ESTIMATES THE DISAPPEARED AT "MORE THAN
10,000".

IN STATEMENTS MADE DURING AN INTERVIEW WITH NEW YORK
CITY'S TELEVISION CHANNEL 41, RELEASED HERE JANUARY 23,
PRESIDENT ALFONSIN ESTIMATED THE NUMBER OF PEOPLE MISSING
AS A RESULT OF THE FORMER MILITARY REGIME'S SO-CALLED
"DIRTY WAR" AGAINST SUBVERSION AT "ALMOST CERTAINLY MORE
THAN 10,000." ONCE AGAIN, HE STATED HIS POSITION THAT IT
WAS "FIGHTING EVIL WITH EVIL THAT TURNED ARGENTINA INTO
A VERITABLE HELL." HE REJECTED, HOWEVER, ANY COMPARISON
BETWEEN WHAT HAPPENED IN ARGENTINA AND THE EVENTS IN NAZI
GERMANY "WHERE THERE WAS A TRUE GENOCIDE. THERE HAS BEEN
NO SUCH RACIAL PERSECUTION HERE. WHAT THERE HAS BEEN
HERE IS THE USE OF TERRORISM TO FIGHT TERRORISM." THUS,
NOT ALL THE DISAPPEARANCES WERE THE WORK OF THE ARMED
FORCES, HE SAID, MAKING IT INCUMBENT ON THE GOVERNMENT
TO INVESTIGATE DIRTY WAR CRIMES NOT IN THE SPIRIT OF
REVENGE BUT USING TRUTH AND JUSTICE TO RECONCILE THE
NATION.

3. (U) IN THE SAME INTERVIEW, ALFONSIN ALSO ANNOUNCED
THAT HE WOULD CREATE A COMMISSION TO COORDINATE THE
RETURN OF ARGENTINE SCIENTISTS, TECHNICIANS, AND
SKILLED WORKERS WHO ARE CURRENTLY LIVING IN THE U.S.
HE SAID THAT "WE NEED THOSE WHO ARE WORKING. . . FOR THE
[REDACTED]
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PROGRESS OF ONE OF THE MOST IMPORTANT COUNTRIES ON
EARTH TO COME HERE AND HELP US TURN ARGENTINA, AS WELL,
INTO ONE OF THE MOST IMPORTANT COUNTRIES ON EARTH."

4. (U) CAMPS ARRESTED.

A FORMER POLICE CHIEF OF BUENOS AIRES PROVINCE, ARMY
GENERAL (RET) RAMON CAMPS, WAS ARRESTED ON JANUARY 19 ON

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THE ORDERS OF PRESIDENT RAUL ALFONSIN. THE PRESIDENT ORDERED CAMPS TO BE COURT-MARTIALED ON GROUNDS THAT "IN PRESS STATEMENTS, GENERAL CAMPS REPORTEDLY ACKNOWLEDGED HIS DIRECT PARTICIPATION IN THE ABDUCTION AND DEATHS OF THOUSANDS OF PEOPLE, IN THE KIDNAPPING OF MINORS AND THE CHANGE OF THEIR FAMILY STATUS, AND ALSO REPORTEDLY HE JUSTIFIED VARIOUS CRIMES, INCLUDING TORTURE." LAST YEAR THE SPANISH MAGAZINE "PUEBLO" QUOTED CAMPS AS HAVING SAID THAT "WHILE I WAS THE BUENOS AIRES PROVINCIAL POLICE CHIEF, SOME 5,000 PEOPLE DISAPPEARED. SOME OF THEM IN BURIED IN NN (NO NAME) GRAVES." CAMPS LATER DENIED HAVING MADE THAT AND OTHER CONTROVERSIAL STATEMENTS. NEVERTHELESS, ALFONSIN SAID THAT "THE TRUTH OF THESE STATEMENTS - WHICH SHOCKED PUBLIC OPINION HERE AND ABROAD - HAS BEEN CONFIRMED BY THOSE RESPONSIBLE FOR THE CORRESPONDING PUBLICATIONS," WITH THE ADDITIONAL EVIDENCE OF THE "INNUMERABLE UNIDENTIFIED CORPSES" FOUND RECENTLY IN BUENOS AIRES AND THE "MULTIPLE REPORTS OF ABDUCTIONS AND DISAPPEARANCES OF PERSONS."

5. (U) ALFONSIN'S DECREE, WHICH WAS SIGNED BY THE PRESIDENT AND HIS DEFENSE AND INTERIOR MINISTERS, ORDERED CAMPS' TRIAL BY THE ARMED FORCES SUPREME COUNCIL FOR "PRIMA FACIE RESPONSIBILITY IN THE PLANNING AND DIRECTING OF A SINISTER TERROR APPARATUS WHICH HAD

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AMEMBASSY MONTEVIDEO
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AMEMBASSY SANTIAGO
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USMISSION GENEVA
USCINCSO QUARRY HEIGHTS PN
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CINCSO FOR INTAFF, CINCLANT ALSO FOR POLAD, ROME ALSO FOR
VATICAN OFFICE

E.O. 12356: DECL:OADR
TAGS: SHUM, PGOV, AR
SUBJ: HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

THE ALLEGED PURPOSE OF FIGHTING THE EQUALLY SINISTER
TERRORISM OF THE OPPOSITE SIDE," ALONG WITH THE NINE
MEMBERS OF THE FIRST THREE MILITARY JUNTAS THAT RULED
ARGENTINA FROM MARCH 1976 TO MID-1982. THE NINE HAVE
ALL APPEARED AT ARRAIGNMENTS OF THE MILITARY COUNCIL,
TO BE INFORMED OF THEIR COURTS-MARTIAL, BUT CAMPS WAS
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THE FIRST OFFICER TO BE ARRESTED ON DIRECT ORDERS OF
THE CIVILIAN PRESIDENT. ONE PRESS REPORT CLAIMED
ALFONSIN WAS "SURPRISED" SO FEW PRIVATE COURT CASES HAD
BEEN BROUGHT AGAINST SUCH OBVIOUS FIGURES AS CAMPS, AND
DECREED CAMPS' ARREST IN PART TO MAKE UP FOR THE LACK OF
ACTION IN THE CIVILIAN COURTS.

6. (U) CAMPS' ARREST DREW MIXED REACTIONS. ARGENTINE
WRITER AND CHAIRMAN OF ALFONSIN'S NATIONAL COMMISSION
ON THE DISAPPEARANCE OF PERSONS, ERNESTO SABATO,
DESCRIBED THE ARREST AS "AN IMPORTANT STEP" TAKEN BY
THE EXECUTIVE BRANCH. A MEMBER OF THE MOTHERS OF THE
PLAZA DE MAYO AGREED, BUT ADDED THAT "WE ASK FOR HIM TO
BE TRIED BY CIVILIAN COURTS, AND THAT HE BE GIVEN THE
MAXIMUM SENTENCE, THAT IS, LIFE IMPRISONMENT, RATHER
THAN THE DEATH PENALTY IMPOSED BY THE MILITARY DICTATOR-
SHIP." NOBEL PEACE PRIZE WINNER ADOLFO PEREZ ESQUIVEL
SAID HE WAS SATISFIED THAT CAMPS WAS TO BE TRIED BUT

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ADDED THAT PRESIDENT ALFONSIN "TOOK LONGER THAN HE SHOULD HAVE" IN TAKING CAMPS TO COURT. ONE NATIONAL CONGRESSMAN, RICARDO BALESTRA, OF THE LIBERAL AUTONOMIST PARTY OF CORRIENTES, SOUNDED A THEME STILL HEARD IN CONSERVATIVE CIRCLES HERE. "THE WINNER OF A WAR IS NEVER TRIED, AND WHAT WE LIVED THROUGH WAS A WAR, DIRTY, BUT A WAR NEVERTHELESS," HE SAID. "AS LONG AS CAMPS DID NOT COMMIT ANY ECONOMIC CRIMES, NOR ACTED FOR PERSONAL REVENGE, NOR COMMITTED ANY CRIMES OUTSIDE THE ALLEGED POLITICAL PURPOSE OF FIGHTING SUBVERSION, HE CANNOT BE GUILTY."

7. (U) PRESS REPORTS OF JANUARY 21 STATED THAT EVIDENCE AGAINST CAMPS WAS TURNED OVER TO THE ARMED FORCES SUPREME COUNCIL BY THE EXECUTIVE BRANCH ON JANUARY 20.

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AMONG THOSE REPORTEDLY PROVIDING SOME OF THE EVIDENCE WAS THE UNDERSECRETARY OF EDUCATION, ALFREDO BRAVO, WHO CLAIMED TO HAVE BEEN TORTURED FOUR TIMES BY CAMPS IN SEPTEMBER 1977. OTHER ALLEGED VICTIMS ALSO REPORTEDLY SUBMITTED EVIDENCE. ONE IS JOURNALIST JACOBO TIMERMAN, WELL-KNOWN EDITOR WHO WAS STRIPPED OF HIS CITIZENSHIP BY THE FORMER MILITARY GOVERNMENT AND WHO RETURNED TO ARGENTINA THIS MONTH ANNOUNCING HE WOULD HELP SEND CAMPS TO JAIL. PRESS REPORTS STATED THAT THE SUPREME COUNCIL WOULD BEGIN QUESTIONING CAMPS THIS WEEK.

8. (U) BIGNONE TO BE TRIED BY THE MILITARY?

FORMER PRESIDENT BIGNONE'S DEFENSE ATTORNEY CHARGED ON JANUARY 12 THAT THE CIVILIAN TRIAL JUDGE WHO HAD ORDERED BIGNONE'S DETENTION BECAUSE OF HIS SUSPECTED INVOLVEMENT IN THE DISAPPEARANCE OF TWO ARMY CONSCRIPTS IS NOT COMPETENT TO HANDLE THE CASE. THE DEFENSE ATTORNEY ALSO REQUESTED THAT THE COURT PROCEEDINGS BE TRANSFERRED TO MILITARY JURISDICTION ON THE GROUNDS THAT THE INVESTIGATION INVOLVES WHAT WERE CLEARLY "ACTS OF DUTY." ON JANUARY 19 THE PROSECUTOR IN THE CASE ALSO RECOMMENDED THE TRANSFER OF THE TRIAL TO MILITARY JURISDICTION, STATING THAT THE KIDNAPPING OF THE CONSCRIPTS "HAD THE INDISPUTABLE, TYPICAL CHARACTERISTICS

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OF A MILITARY INCIDENT," AND "THAT THE PROCEEDINGS MUST
BE SUBMITTED TO MILITARY JURISDICTION."

9. (U) MENENDEZ LET OFF THE HOOK.

THE CHAMBER OF DEPUTIES' CONSTITUTIONAL AFFAIRS COMMITTEE
DECIDED ON JANUARY 19 AGAINST RECOMMENDING ANY PUNISHMENT

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FOR GENERAL (RET) LUCIANO BENJAMIN MENENDEZ AFTER

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ACCEPTING HIS ASSURANCES THAT HIS RECENT STATEMENTS
BRANDING ALL CRITICS OF EXCESSES DURING THE ANTI-
TERRORIST CAMPAIGN AS SUBVERSIVE WERE NOT DIRECTED AT
MEMBERS OF CONGRESS. MENENDEZ HAD REITERATED THOSE
STATEMENTS BEFORE THE COMMITTEE ON JANUARY 17 BUT HAD ALSO

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DECLARED HIS LOYALTY TO THE CONSTITUTIONAL GOVERNMENT.
CHRISTIAN DEMOCRATIC CONGRESSMAN AND LEADING HUMAN RIGHTS
ACTIVIST AUGUSTO CONTE WAS ALONE IN PRESSING FOR A 30-
DAY PRISON TERM.

10. (U) LEGISLATION.

A. PENAL CODE REFORM.

PRESIDENT ALFONSIN ON JANUARY 19 SIGNED A LAW PASSED BY
CONGRESS THAT REFORMS THE CRIMINAL PENAL CODE BY ALLOWING
FOR THE SUBMISSION OF WRITS OF HABEAS CORPUS IN FAVOR OF
CIVILIANS SENTENCED BY MILITARY COURTS, EVEN IF THE
SENTENCES WERE CONFIRMED BY CIVILIAN COURTS. THIS NEW
LAW WILL FACILITATE THE ANNULMENT OF MILITARY TRIBUNAL
SENTENCES IMPOSED AGAINST CIVILIANS, WHO MAY BE
ELIGIBLE FOR RELEASE FROM PRISON OR MAY HAVE THEIR
CASES SENT TO CIVILIAN COURTS FOR REVIEW BY APPEALING
THEIR SENTENCES WITH A WRIT OF HABEAS CORPUS.

B. MILITARY CODE REFORM.

THE SENATE HAS FORMALLY ACCEPTED FOR DEBATE LATER THE
MILITARY CODE OF JUSTICE REFORM BILL PASSED EARLIER
THIS MONTH BY THE CHAMBER OF DEPUTIES. THE BILL IS
CONTROVERSIAL. JUSTICIALIST PARTY LEADER IN THE SENATE
VINCENTE SAADI HAS ALREADY CALLED IT "AN UNCONFESSED
AMNESTY" OF THE MILITARY AND SECURITY PERSONNEL INVOLVED
IN THE SO-CALLED DIRTY WAR AGAINST SUBVERSION. THE
DEBATE WILL REVOLVE AROUND ALFONSIN'S PLAN FOR LIMITING
THE NUMBER OF MILITARY AND SECURITY FORCES PERSONNEL
WHO WILL STAND TRIAL.

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11. [REDACTED] COMMENT: ALFONSIN'S STATEMENT THAT AT LEAST 10,000 DISAPPEARED IN THE REPRESSION, CARRIED IN ALL THE HEADLINES ON JANUARY 23, TAKES HIM INTO TERRAIN PRUDENT OBSERVERS HAVE AVOIDED IN THE PAST: PUTTING A NUMBER ON THE TOLL OF MISSING IN THE DIRTY WAR. (INTERIOR MINISTER TROCCOLI TOLD THE AMBASSADOR DECEMBER 26 THAT THE TOTAL IS AROUND 6,000, A NUMBER DEVELOPED ON THE BASIS OF CASE HISTORY DOCUMENTATION BY THE PERMANENT ASSEMBLY OF HUMAN RIGHTS AND WIDELY ACCEPTED AS AUTHORITATIVE.) WHETHER IT IS 6,000, 10,000 OR 30,000, AS CLAIMED BY THE MOTHERS OF THE PLAZA DE MAYO, BECOMES IRRELEVANT AS EXHUMATION OF THE PAST CONTINUES TO SHOCK THE NATIONAL CONSCIENCE. THE WEEKEND DISCLOSURE THAT THREE YOUNG CHILDREN APPARENTLY WERE EXECUTED IN WHAT WAS LATER DRESSED UP TO BE A MILITARY SHOOT-OUT WITH TERRORISTS SEVEN YEARS AGO ONLY HEIGHTENS THE GROWING PUBLIC HORROR OF WHAT ACTUALLY HAPPENED HERE. ALL THIS ONLY FUELS THE HIGH FEELING AGAINST MILITARY OFFICERS BEING HAULED BEFORE TRIBUNALS IN UNRULY STREET SCENES. THIS IN TURN ADDS TO THE DIS-QUIET IN THE ARMED FORCES, AND DEMONSTRATES THE PRESIDENT'S PROBLEM WHEN HE CALLS FOR REASON ON ALL SIDES TO SECURE THE GREATER GOOD OF RULE OF LAW.
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